

EXHIBIT A

From: Peggy Wedgworth <PWedgworth@milberg.com>
Sent: Thursday, May 9, 2024 3:53 PM
To: Katz, Katherine R.; *mnemelka@kelloggghansen.com; Brier, Grace C.; Dorris, Daniel V.; Liz McKenna; Ho, Derek T.; Jones, Bethan R.; White, Collin R.; Hafenbrack, Joshua; Mike Acciavatti; Robert A. Wallner; John Hughes; *dmsteam@milberg.com; Briggs, Kimberly A.
Cc: Long, Emily Merki; Jonke, Kevin M.
Subject: RE: In re DMS // Scheduling

This message is from an EXTERNAL SENDER

Be cautious, particularly with links and attachments.

Kate,

As the Court's order is clear, there is no reason for the parties to enter a schedule.

Therefore, we disagree with your interpretation and if you pursue the issue, please include in your papers that plaintiffs will file an opposition.

Regards,

Peggy and Mike

Peggy J. Wedgworth

Senior Partner



Main: (212)594-5300

Cell: (646)515-1269

www.milberg.com



Confidentiality Notice: This message contains information which may be confidential and privileged. Unless you are the addressee (or authorized to receive for the addressee), you may not use, copy or disclose to anyone the message or any information contained in the message. If you have received the message in error, please advise the sender by reply e-mail and delete the message.

From: Katz, Katherine R. <katherine.katz@kirkland.com>
Sent: Thursday, May 9, 2024 2:10 PM
To: *mnemelka@kelloggghansen.com <mnemelka@kelloggghansen.com>; Brier, Grace C. <grace.brier@kirkland.com>;

Peggy Wedgworth <PWedgworth@milberg.com>; Dorris, Daniel V. <ddorris@kelloggghansen.com>; Liz McKenna <emckenna@milberg.com>; Ho, Derek T. <dho@kelloggghansen.com>; Jones, Bethan R. <bjones@kelloggghansen.com>; White, Collin R. <cwhite@kelloggghansen.com>; Hafenbrack, Joshua <jhafenbrack@kelloggghansen.com>; Mike Acciavatti <MAcciavatti@milberg.com>; Robert A. Wallner <rwallner@milberg.com>; John Hughes <JHughes@milberg.com>; DMSTeam <dmsteam@milberg.com>; Briggs, Kimberly A. <kbriggs@kelloggghansen.com>
Cc: Long, Emily Merki <emily.long@kirkland.com>; Jonke, Kevin M. <kevin.jonke@kirkland.com>
Subject: RE: In re DMS // Scheduling

Mike and Peggy,

We don't think your read of the order and proposed schedule make sense. Judge Pallmeyer granted our request for a supplemental expert report (which wasn't part of the prior schedule). As you acknowledge in your chart below, that report is due on May 31st. Given the report will address issues raised in the Daubert briefing and we will cite to it in the Daubert briefs, it is only reasonable that the report and Daubert briefs would be filed concurrently on May 31st.

If you don't agree to this reasonable interpretation of the Judge's order, we will seek clarity from the Court. However, this certainly seems like an issue that doesn't warrant Court intervention. Please let us know today.

Thanks,
Kate

Katherine R. Katz

Kirkland & Ellis LLP
1301 Pennsylvania Ave., NW | Washington, D.C. 20004
DIRECT: 202.389.5184 | FAX 202.389.5200
katherine.katz@kirkland.com

From: Nemelka, Michael N. <mnemelka@kelloggghansen.com>
Sent: Thursday, May 9, 2024 12:24 PM
To: Brier, Grace C. <grace.brier@kirkland.com>; Peggy Wedgworth <PWedgworth@milberg.com>; Dorris, Daniel V. <ddorris@kelloggghansen.com>; Liz McKenna <emckenna@milberg.com>; Ho, Derek T. <dho@kelloggghansen.com>; Jones, Bethan R. <bjones@kelloggghansen.com>; White, Collin R. <cwhite@kelloggghansen.com>; Hafenbrack, Joshua <jhafenbrack@kelloggghansen.com>; Mike Acciavatti <MAcciavatti@milberg.com>; Wallner, Robert <rwallner@milberg.com>; John Hughes <JHughes@milberg.com>; *dmsteam@milberg.com <dmsteam@milberg.com>; Briggs, Kimberly A. <kbriggs@kelloggghansen.com>
Cc: Katz, Katherine R. <katherine.katz@kirkland.com>; Long, Emily Merki <emily.long@kirkland.com>; Jonke, Kevin M. <kevin.jonke@kirkland.com>
Subject: RE: In re DMS // Scheduling

Grace,

The Court did not change the deadlines for CDK's Daubert briefs. The Court specifically stated: "Having reviewed the parties' submissions, the court grants CDK's motion [1487]] in part and denies it in part. CDK will have leave to file a sur-reply of no more than 15 pages on or before May 31, 2024." CDK sought an extension for the filing date of its Daubert briefs, which Plaintiffs opposed and the Court did not grant. There is no ambiguity in the Court's Order.

Under the Court's Orders, the schedule is as follows:

May 20:	CDK's Reply Daubert Brief (Williams and Israel) & CDK's Opposition Daubert Brief (Haider). Per Dkt. 1467.
May 31:	CDK to file a sur-reply brief of no more than 15 pages on or before May 31, 2024. Supplemental expert submission will be limited to a single report addressing only the Authenticom data refresh. Per Dkt. 1489.
June 10:	Dealers' Reply Daubert Brief (Haider). Per Dkt. 1467.
June 10:	Dealers and Vendors to each file a seven-page sur-response brief, no later than June 10, 2024. Supplemental expert submissions will be limited to single reports addressing only the Authenticom data refresh. Per Dkt. 1489.

Thanks,
Mike and Peggy

From: Brier, Grace C. <grace.brier@kirkland.com>

Sent: Wednesday, May 8, 2024 2:58 PM

To: Peggy Wedgworth <PWedgworth@milberg.com>; Dorris, Daniel V. <ddorris@kelloggghansen.com>; Liz McKenna <emckenna@milberg.com>; Nemelka, Michael N. <mnemelka@kelloggghansen.com>; Ho, Derek T. <dho@kelloggghansen.com>; Jones, Bethan R. <bjones@kelloggghansen.com>; White, Collin R. <cwhite@kelloggghansen.com>; Hafenbrack, Joshua <jhafenbrack@kelloggghansen.com>; Mike Acciavatti <MAcciavatti@milberg.com>; Wallner, Robert <rwallner@milberg.com>; John Hughes <JHughes@milberg.com>; DMSTEAM (MILBERG.COM) <dmsteam@milberg.com>; Briggs, Kimberly A. <kbriggs@kelloggghansen.com>
Cc: katz, katherine <katherine.katz@kirkland.com>; Long, Emily <emily.long@kirkland.com>; jonke, kevin <kevin.jonke@kirkland.com>

Subject: [EXTERNAL] In re DMS // Scheduling

Counsel,

We've reviewed the Court's minute order setting deadlines for our sur-reply and your sur-response, ECF No. 1489. In order to make sure the schedule is clear, we put together a proposed order that addresses what we believe to be the upcoming deadlines. Please let us know if you agree to us filing this on behalf of all parties.

Best,
Grace

Grace C. Brier

KIRKLAND & ELLIS LLP

1301 Pennsylvania Avenue, N.W., Washington, D.C. 20004
T +1 202 389 3151 **M** +1 202 808 1652 **F** +1 202 389 5200

grace.brier@kirkland.com

The information contained in this communication is confidential, may be attorney-client privileged, may constitute inside information, and is intended only for the use of the addressee. It is the property of the multi-national law firm Kirkland & Ellis LLP and/or its affiliated entities. Unauthorized use, disclosure or copying of this communication or any part thereof is strictly prohibited and may be unlawful. If you have received this communication in error, please

notify us immediately by return email or by email to postmaster@kirkland.com, and destroy this communication and all copies thereof, including all attachments.

The information contained in this communication is confidential, may be attorney-client privileged, may constitute inside information, and is intended only for the use of the addressee. It is the property of the multi-national law firm Kirkland & Ellis LLP and/or its affiliated entities. Unauthorized use, disclosure or copying of this communication or any part thereof is strictly prohibited and may be unlawful. If you have received this communication in error, please notify us immediately by return email or by email to postmaster@kirkland.com, and destroy this communication and all copies thereof, including all attachments.